

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 19, 1960
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works; Robert A. Miles, Chief of Police

Invocation was delivered by MR. DAVID BARROW.

Councilman Bechtol moved that the Minutes of the Meeting of May 12, 1960, be approved with correction noted. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The City Manager submitted the following:

"May 19, 1960

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
Improving Portions of Certain Streets
in the City of Austin Being Part of
Assessment Paving Contract Number
58-A-28

"The work of improving portions of the following named streets in the City of Austin, being part of Assessment Paving Contract Number 58-A-28, dated July 11, 1958, between the City of Austin and Giesen & Latson Construction Company, has been performed and completed by Giesen & Latson Construction Company in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Raleigh Avenue	SPL Bonnie Road	SPL Clearview Drive

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF RALEIGH AVENUE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY GIESEN & LATSON CONSTRUCTION COMPANY AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"May 19, 1960

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
Improving Portions of Certain Streets in
the City of Austin Being Part of Assessment
Paving Contract Number 58-A-33

"The work of improving portions of the following named streets in the City of Austin, being part of Assessment Paving Contract Number 58-A-33, dated August 29, 1958, between the City of Austin and Lee Maners, has been performed and completed by Lee Maners in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Rockmoor Avenue	NPL Cherry Lane	SPL Meredith Street

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF ROCKMOOR AVENUE IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY LEE MANERS AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"May 19, 1960

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work of
Improving Portions of Certain Streets in
the City of Austin Being Assessment
Paving Contract Number 59-A-29

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 59-A-29, dated December 18, 1959, between the City of Austin and J. H. "Bud" Chastain & Sons, has been performed and completed by J. H. "Bud" Chastain & Sons in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Alegria Road	EPL Laird Drive	WPL Arroyo Seca
Bailey Lane	Pt. 65' N. of NPL of W. 39th Street	SPL West 40th Street
Becker Avenue	NPL East 39th Street	SPL East 40th Street
Bennett Avenue	NPL East 44th Street	SPL East 45th Street
Bonnie Road	EPL Scenic Drive	WPL Raleigh Avenue
Cullen Avenue	EPL Hardy Drive	EPL Yates Avenue
Duval Street	NPL East 53rd Street	NPL East 55th Street
Ellingson Lane	EPL Bennett Avenue	WPL Clarkson Avenue
Grooms Street	SPL East 33rd Street	SPL East 34th Street
Avenue H	NPL East 43rd Street	SPL East 44th Street
Joe Sayers Avenue	SPL Broadacres Subd.	SPL North Loop Blvd.
Payne Avenue	EPL Grover Avenue	WPL Wild Street
Shoalwood Avenue	SPL West 42nd Street	NPL West 44th Street
Speedway	SPL East 31st Street	SPL East 41st Street
West 39 1/2 Street	EPL Shoal Creek Blvd.	WPL Alice Avenue
West 41st Street	EPL Guadalupe Street	WPL Avenue A
East 44th Street	EPL Speedway	EPL Avenue H
East 47th Street	EPL Avenue G	WPL Avenue H

"I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF
IMPROVING PORTIONS OF ALEGRIA ROAD AND SUNDRY
OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN
THE LIMITS HEREBELOW DEFINED, PERFORMED BY J. H.
"BUD" CHASTAIN & SONS AUTHORIZING AND DIRECTING
THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES

IN CONNECTION THEREWITH; DECLARING AN EMERGENCY,
AND PROVIDING THAT THIS ORDINANCE SHALL BECOME
EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The City Manager submitted the following:

"May 19, 1960

"To the City Council
City of Austin, Texas

"Re: Completion and Acceptance of Work
Improving Portions of Certain Streets in
the City of Austin Being Assessment
Paving Contract Number 59-A-25

"The work of improving portions of the following named streets in the City of Austin, being Assessment Paving Contract Number 59-A-25, dated November 20, 1959, between the City of Austin and McKown & Sons, has been performed and completed by McKown & Sons in full compliance with the contract and the plans and specifications therein contained:

<u>"Street</u>	<u>From</u>	<u>To</u>
Acorn Place	South 3rd Street	South 2nd Street
West Annie Street	EPL South 5th Street	EPL Bouldin Avenue
Bonnieview	WGL Melissa Lane	EGL Hillside Avenue
College Avenue	NPL W. Oltorf Street	SPL E. Live Oak Street
Ebony Street	EPL Dawson Road	WPL Bouldin Avenue
Euclid Avenue	383.25' S. of SPL of West Oltorf Street	SPL W. Oltorf Street

"Fairmount Avenue	EPL Alameda Drive	EPL Travis Heights Addn.
West Gibson Street	EPL Bouldin Avenue	WPL South 1st Street
Gillespie Place	EPL Kenwood Avenue (S)	EPL Kenwood Avenue (N)
Hillside Avenue	NPL Academy Drive	NGL Bonnieview
LeGrande Avenue	EPL Melissa Lane	EGL Newning Avenue
Melissa Lane	NPL Academy Drive	NGL Bonnieview
Newning Avenue	NPL Academy Drive	NGL LeGrande Avenue
Newning Avenue	NPL LeGrande Avenue	SPL E. Riverside Drive
Summit Street	$\frac{1}{2}$ Blk. N. of Sylvan Dr.	SPL New East Riverside Drive
Virginia Avenue	EPL Cliff Street	WGL Kinney Avenue
South 2nd Street	Acorn Place	SPL Cumberland Road
South 3rd Street	Acorn Place	SPL Cumberland Road
South 3rd Street	NPL W. Gibson Street	Pvt. in Pl. on Christopher St.
South 5th Street	SPL West Annie Street	SPL West Monroe Street
Taylor Gaines Street	EPL Interregional Hwy.	Pt. 75' E. of EPL Summit St.

I have inspected, approved, and accepted the work and improvements referred to, and I now recommend that the same be accepted and received by the City Council as having been performed and completed in compliance with the contract, plans, and specifications referred to above.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
S. Reuben Rountree, Jr.
Director of Public Works"

Mayor Miller introduced the following ordinance:

AN ORDINANCE RECEIVING AND ACCEPTING THE WORK OF IMPROVING PORTIONS OF ACORN PLACE AND SUNDRY OTHER STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREBELOW DEFINED, PERFORMED BY MCKOWN & SONS AUTHORIZING AND DIRECTING THE ISSUANCE OF SPECIAL ASSESSMENT CERTIFICATES IN CONNECTION THEREWITH; DECLARING AN EMERGENCY, AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 2ND DAY OF JUNE, 1960, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Mira Loma Lane)

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that

the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 2ND DAY OF JUNE, 1960, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (South 5th Street)

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 2ND DAY OF JUNE, 1960, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Eilers Avenue and sundry other streets)

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion,

seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A.M. ON THE 2ND DAY OF JUNE, 1960, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE. (Chesterfield Avenue and sundry other streets)

The ordinance was read the first time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Bechtol moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Bechtol moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CERTAIN CONTRACT WITH HARRY DAUGHERTY; PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY OF AUSTIN UNDER SUCH CONTRACT; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized and directed to enter into a contract on behalf of the City of Austin with the Travis

County Society for Crippled Children, leasing and letting certain property unto the Travis County Society for Crippled Children, in accordance with the terms and provisions of that certain contract, a copy of which is attached to this Resolution and made a part hereof for all purposes.

(Contract attached)

THE STATE OF TEXAS }
:
COUNTY OF TRAVIS }

This AGREEMENT made and executed by and between the City of Austin, Texas, a municipal corporation, hereinafter called the City, and the Travis County Society for Crippled Children, a benevolent and charitable corporation organized and existing under and by virtue of the laws of the State of Texas, with its principal office in Austin, Travis County, Texas, hereinafter called the Society, WITNESSETH:

I.

In consideration of the covenants and agreements herein undertaken by the Society, the City does hereby lease, demise, and let unto the Society, and the Society does hereby hire and lease from the City the hereinafter described tract of land, together with all improvements located thereon, to-wit:

Said tract of land being out of and a part of Lots 2, 3, 4, 5, 1c, and 1d, Block 1, of the James Byrne's Subdivision, and which tract of land is also out of and a part of Outlot 71, Division D of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of said Government Outlots on file in the General Land Office of the State of Texas, said James Byrne's Subdivision being a subdivision of a portion of said Outlot 71, Division D according to a map or plat of said James Byrne's Subdivision of record in Book 3 at page 72 of the Plat Records of Travis County, Texas, said tract of land being out of and a part of that certain tract of land conveyed to the City of Austin, a municipal corporation in Travis County, Texas by warranty deed dated October 18, 1929 of record in Volume 442 at page 449 of the Deed Records of Travis County, Texas, said tract of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin at the northeast corner of the herein described tract of land, same being on the north line of said Lot 2, Block 1 of James Byrnes Subdivision and the south line of West 28 1/2 Street, and from which point of beginning an iron pipe at the northeast corner of said Lot 2 bears in an easterly direction 94.77 feet;

THENCE, with the east line of the herein described tract of land as fenced and used upon the ground, S 4° 15' W at 200.00 feet passing an iron pin in the south line of said Lot 5 in all a distance of 313.03 feet to an iron pin at the southeast corner of the herein described tract of land;

THENCE, with the south line of the herein described tract of land, S 35° 50' W 45.99 feet to the southwest corner of the herein described tract

of land, same being the most southerly corner of the herein described tract of land;

THENCE, with the west line of the herein described tract of land, N 29° 20' W 183.15 feet to an iron pin in a curve whose angle of intersection is 35° 57' whose radius is 567.88 feet and whose tangent distance is 184.24 feet, same being the east line of Shoal Creek Blvd. and which iron pin is on the south line of said Lot 1c of Byrnes Subdivision;

THENCE, with said curving east line of Shoal Creek Blvd. to the right in a northerly direction to an iron pin at the point of tangency of said curve;

THENCE, N 6° 37' E 1.56 feet to an iron pin at the northwest corner of the herein described tract of land, same being on the south line of West 28 1/2 Street;

THENCE, with the south line of West 28 1/2 Street, same being the north line of said Lots 1c, 1d and Lot 2 Block 1 of said Byrnes Subdivision, in an easterly direction 152.19 feet to the point of beginning.

II.

This lease shall exist and continue for a term of fifty (50) years, beginning the 1st day of May, 1960, and terminating the 30th day of April, 2010, unless sooner terminated as herein provided.

III.

In consideration of the foregoing, the Society agrees to conduct in and upon said leased premises, without cost or expense to the City, a Treatment and Recreational Center without charge for children afflicted with cerebral palsy and such other crippling diseases as the parties hereto may hereafter determine can be treated adequately at such Center.

IV.

Said Center shall be operated under rules and regulations to be adopted by the Society, but the Society agrees to furnish the City such reports upon the operation of the Center as from time to time may be requested by the City.

V.

The Society agrees to hold the City of Austin harmless from any and all damages which may accrue to any person in, upon or about the leased premises.

VI.

This lease shall terminate immediately if said property shall be used for purposes other than those hereinabove described, or if Society should fail to perform any of its covenants and agreements hereunder.

IN TESTIMONY WHEREOF, the parties hereto have caused these presents to be executed in duplicate by their respective officers thereunto duly authorized, this the _____ day of _____, 1960.

ATTEST:

CITY OF AUSTIN

City Clerk

By _____

W. T. Williams, Jr.
City ManagerTRAVIS COUNTY SOCIETY FOR
CRIPPLED CHILDREN

By _____

THE STATE OF TEXAS |

:

COUNTY OF TRAVIS |

BEFORE ME, the undersigned authority, on this day personally appeared W. T. Williams, Jr., City Manager of the City of Austin, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of the City of Austin for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office, on this the _____ day
of _____, 1960.

Notary Public in and for Travis
County, Texas

THE STATE OF TEXAS |

:

COUNTY OF TRAVIS |

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of the Travis County Society for Crippled Children, and as _____ thereof, and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL of office, on this the _____ day
of _____, 1960.

Notary Public in and for Travis
County, Texas

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING 11,856 SQUARE FEET OF LAND, SAME BEING OUT OF AND A PART OF THAT CERTAIN STREET IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, KNOWN AS GLISSMAN ROAD, AND EXTENDING FROM THE SOUTHERLY PROLONGATION OF THE WEST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO CEN-TEX CONCRETE PIPE COMPANY, TO THE SOUTHERLY PROLONGATION OF THE EAST LINE OF THE AFORESAID TRACT OF LAND; RETAINING EASEMENTS FOR DRAINAGEWAY AND PUBLIC UTILITIES, AND SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the northeast corner of the intersection of East 7th Street and Neches Street, which property fronts 46 feet on East 7th Street and 128.0 feet on Neches Street, and is known as the west 46 feet of Lot 1 of Block 88 of the Original City of Austin, Travis County, Texas, and hereby authorizes the said Alex Dochen to construct, maintain, and operate a drive-in gasoline filling station and to construct curbs, ramps, and sidewalks in conjunction therewith subject to the same being constructed in compliance with all ordinances relating thereto, and further subject to the foregoing

attached recommendations and plans. The Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper Police, Traffic and Fire regulations; and the right of revocation is retained, if after hearing it is found by the City Council that the said Alex Dochen has failed and refused and will continue to fail and refuse to perform any such conditions, regulations, and ordinances.

(Recommendations attached)

"May 19, 1960

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"We, the undersigned, have considered the application of Alex Dochen for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon the property located at the northeast corner of the intersection of East 7th Street and Neches Street, which property fronts 46 feet on East 7th Street and 128.0 feet on Neches Street, and is known as the west 46 feet of Lot 1 of Block 88 of the Original City of Austin, Travis County, Texas, and the property upon which this filling station is to be located is owned by Alex Dochen. We hereby advise that the following conditions exist.

"The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

"All drainage, natural or otherwise, from this filling station is to be disposed of in such a manner that such drainage will not flow across the sidewalk area into the street, and furthermore, shall not create a nuisance to others in the neighborhood. It is understood that the disposal of such drainage shall be entirely the responsibility of the property owner. Any waste connection to a storm sewer which empties into an open drainageway shall be discontinued, if the waste becomes a nuisance or damages any property or rights of others in the vicinity of the open drainageway.

"We recommend that Alex Dochen be granted permission to construct, maintain, and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith subject to the following conditions.

"(1) That all buildings and equipment shall be placed inside of the property line; correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the Department of Public Works for entrances and driveways; building lines to be approved by the City Building Inspector. That the applicant shall confer with the Department of Public Works as to future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

"(2) That only underground tanks shall be used, and that all pumps shall be so located that it will be impracticable to service motor vehicles

therefrom while said motor vehicles are standing on any part of a sidewalk, street, or alley.

"(3) That the gasoline tanks, pumps, and all equipment used in connection with the storage and handling of gasoline shall be an approved type and shall bear the label of Underwriters Laboratories, Inc., and that all construction of the filling station improvements shall be in accordance with the Building Ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accordance with the ordinance prohibiting the disposal of commercial water or oils upon the City Streets.

"(4) That the grades of the station shall be such that no waste water or oils or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2 - H - 146.

"(5) That all filling station improvements, pump islands, driveways, ramps, gutters, sidewalks, and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan, hereto attached, which plan bears the Department of Public Works file number 2 - H - 1750.

"(6) Expansion joints shall be constructed as shown upon the plan, hereto attached, marked 2 - H - 1750 and shall be of the pre-moulded type.

"(7) When the owner considers that he has complied with all the requirements of the City of Austin for filling stations, he shall apply for a final inspection, and upon approval, the Building Inspector shall issue a Certification of Operation before such filling station can be put into service.

"Respectfully submitted,
(Sgd) S. Reuben Rountree, Jr.
Director of Public Works
(Sgd) Dick T. Jordan
Building Official"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of East 7th Street as a private gasoline plant consisting of one 1,000 gallon underground tank, one 550 gallon underground tank, and two electric pumps for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Tom Fairey Company and is Lot 1 of the Gene Howard Subdivision of the City of Austin, Travis County, Texas, and hereby authorizes the said Tom Fairey Company to operate a private gasoline plant consisting of one 1,000 gallon underground tank, one 550 gallon underground tank and two electric pumps for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances

relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Tom Fairey Company has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
May 19, 1960

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned, have considered the application of Tom Fairey Company, by their agent, The Texas Company, for permission to operate a private gasoline plant consisting of one 1,000 gallon underground tank, one 550 gallon underground tank, and two electric pumps for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of East 7th Street, which property is designated as Lot 1 of the Gene Howard Subdivision in the City of Austin, Travis County, Texas, and locally known as 5005 East 7th Street.

"This property is located in a D Industrial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "No Smoking" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) Dick T. Jordan
Building Official"

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, J. J. Franks is the Contractor for the demolition of a building located at 2500 Guadalupe Street and desires a portion of the sidewalk and street space abutting Lot 1, Outlot 50, Division D, of Hitchcock's Subdivision, of the City of Austin, Travis County, Texas, during the demolition of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. J. Franks, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point which is the northeast corner of the above described property; thence in an easterly direction and at right angles to the center line of Guadalupe Street 8 feet to a point; thence in a southerly direction and parallel with the center line of Guadalupe Street 48.5 feet to a point; thence in a westerly direction and at right angles to the center line of Guadalupe Street 8 feet to a point which is the southwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said J. J. Franks, hereinafter termed "Contractor", upon the following express terms and conditions:

"(1) That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 1, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Perry, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Inland Construction Company is the Contractor for the repair of a building located at 907 Congress Avenue and desires a portion of the sidewalk and street space abutting the north 23 feet of Lot 2, Block 111, of the Original City of Austin, Travis County, Texas, during the repair of the building, such

space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Inland Construction Company, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point which is the northwest corner of the above described property; thence in a westerly direction and at right angles to the center line of Congress Avenue 12 feet west of the east curb line; thence in a southerly direction and parallel with the center line of Congress Avenue 23 feet to a point; thence in an easterly direction and at right angles to the center line of Congress Avenue 25 feet to a point which is the southwest corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said Inland Construction Company, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting systems for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such

time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than May 30, 1960.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand Dollars (\$2,000) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Perry, carried by the following vote:
 Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
 Noes: None

The City Manager submitted the following:

"May 17, 1960

"W. T. Williams, Jr., City Manager

Contract No. 60-D-11

"Following is a tabulation of the bids received at 10:00 A.M., Tuesday, May 17, 1960 for the construction of a reinforced concrete bridge across Boggy Creek at Bolm Road east of Shady Lane - Contract No. 60-D-11.

"Ed H. Page	\$17,953.60
Texas Bridge Company, Inc.	19,274.30
Walter W. Schmidt	19,704.04
Giesen & Latson Construction Co.	19,833.74
Maufrais Brothers, Inc.	28,998.40

"City's Estimate	\$18,975.00
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"I recommend that Ed H. Page with his low bid of \$17,953.60 be awarded the contract for this project.

"S. Reuben Rountree, Jr.
 Director of Public Works"

Councilman Perry offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on May 17, 1960 for the construction of a reinforced concrete bridge across Boggy Creek at Bolm Road east of Shady Lane; and,

WHEREAS, the bid of Ed H. Page in the sum of \$17,953.60 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Ed H. Page in the sum of \$17,953.60 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Ed H. Page.

The motion, seconded by Councilman White, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Council received notice of appeal from the decision of the Planning Commission on its decision on granting a special permit to Wallace Mayfield, 2815-2841 Hancock Drive, filed by MR. ROBERT SNEED, Attorney for MR. LLOYD M. COLLINS. (In addition to the appeal that was filed on May 12th) Councilman Perry moved this matter be postponed until the zoning of the property comes before the Council. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 1.07 ACRES OF LAND OUT OF AND A PART OF THE JAMES P. WALLACE SURVEY NO. 18 IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Perry moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

The Council had before it the request for space assignments for SOUTHERN UNION GAS COMPANY. Councilman Bechtol asked that the consultant on the Power Plant and Low Water Dam make a statement regarding this. MR. D.N. HIGGINS, Consultant Engineer, Brown & Root, stated that Mr. Dexter Kinney had inquired of this firm regarding the placement of the gas lines, and that Brown & Root had expressed the opinion that in general and on principle, they objected to a gas line going across the bridge, where it is the sole source of fuel for the Power Plant that is as important as the one the City is now undertaking. He said that when consideration was taken of what it would mean to get a gas line in there--where the gas line comes in from south of the city across the flats and through the gravel beds, it would be necessary to excavate in specific places from 40 to 45', which could be done, but which would be difficult in wet gravel--the cost of the line would be what they consider prohibitive. He stated that in view of the fact that from the history of gas lines as such, that they have been allowed to go on railroad rights-of-way, etc., that the best place to put this one is across the bridge, which was designed to take lines as set up by the City when the project was designed. He recommended that the wall thickness of the pipe line itself should be increased to provide a safety factor, which was recommended and proposed by the Gas Company. He said that MR. KINNEY, Director of Utilities, had also recommended this, and that Brown & Root backed up Mr. Kinney's recommendation; and that the Gas Company did also. Mr. Higgins stated that the one 16" line could go into some existing openings provided and on supports; and if the line is painted the same color as the gates, there would be no objection; and he said he thought it was to the most economical thing to do. After discussion, Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in and adjacent to the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains, in and upon the following streets:

- (1) A gas main in PLEASANT VALLEY ROAD, from East Riverside Drive southerly to Dead End, the centerline of which gas main shall be 2.00 feet west of and parallel to the east property line of said PLEASANT VALLEY ROAD.

Said gas main described above shall have a cover of not less than 4 feet.

- (2) A gas main in PLEASANT VALLEY ROAD, from East Riverside Drive northerly to south bank of Colorado River, the centerline of which gas main shall be 5.00 feet west of and parallel to the east property line of said PLEASANT VALLEY ROAD.

Said gas main described above shall have a cover of not less than 4 feet, except in a 320 foot strip beginning at a point 3512 feet north of Riverside Drive where

elevation of top of gas main will vary from 446 feet at above point to 430 feet at 3832 feet north of Riverside Drive.

(3) A gas main in PLEASANT VALLEY ROAD, from the south bank of the Colorado River northerly across Low Water Dam to Canterbury Street, the centerline of which gas main shall be 26.8 feet east of and parallel to the centerline of said PLEASANT VALLEY ROAD.

Said gas main described above shall have a cover of not less than 4 feet, except for portion on bridge.

(4) A gas main in CANTERBURY STREET, from Pleasant Valley Road to Pedernales Street, the centerline of which gas main shall be 15.00 feet north of and parallel to the south property line of said CANTERBURY STREET.

Said gas main described above shall have a cover of not less than 4 feet.

(5) A gas main in PEDERNALES STREET AND CITY PROPERTY, from Canterbury Street southwesterly to a point 503 feet south of the north property line of Holly Street, the centerline of which gas main shall be 9.00 feet east of and parallel to the west rail of Spur Railroad.

Said gas main described above shall have a cover of not less than 4 feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Bechtol, carried by the following vote:
Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

MAYOR MILLER proclaimed the month of JUNE as NATIONAL RECREATION MONTH. Mr. Ed St. John, Chamber of Commerce, stated the Chamber of Commerce, Recreation Department, and Community Council will sponsor RECREATION MONTH in June.

MR. DON HIGGINS, Consulting Engineer from Brown & Root Engineers, gave the second Interim Report on the Holly Street Power Station, reading the report. (Interim Report No. 2 on file under POWER PLANT, Holly Street Station) In line with the increase in population and the far-sighted program of expansion of the Plant as proposed by the Electrical Department, Mr. Higgins submitted a chart showing the actual kilowatt hours and estimated as follows:

	Actual KWH	Estimated KWH
October, 1959	45.2	48.7
November, 1959	37.2	38.5
December, 1959	38.6	36.4
January, 1960	39.0	38.1
February, 1960	37.0	36.4
March, 1960	40.0	40.8

Mr. Higgins complimented the work done by the City forces in the erection of the machine and equipment stating the cost of the erection was in line with any one else's, and the job could not have been done any better by any other. Mr. Higgins pointed out a saving in the cost of the Station, due to a good market when the major equipments such as turbines, boiler, condensers, etc., were bought in 1958, having been requisitioned before that; and due to plans and specifications being complete; and due to the city's purchasing certain items, which normally would be in the construction contract, and the city's getting excellent prices. He suggested that since the City had options on major equipment from its last purchases, that it consider exercising these options so that it could get a place in the construction schedule three or four years from now when it would need the equipment, and so that the manufacturers could make commitments for their steel on the present low price steel markets. The Mayor complimented Mr. Higgins, and stated the Council had been wise in selecting Brown and Root Consulting Engineers, and that they had done a wonderful job, as did Mr. Zachry in the construction part.

The Mayor asked Mr. Higgins his opinion of the atomic energy plants, and Mr. Higgins stated he had written some comments on the proposal that had been sent to the City; and it was his opinion that there would be from five to ten million dollars spent by the City for experimental purposes, in addition to high cost power, and extra training of operators for the atomic energy operation. He stated this recommendation was backed up by the Electric World report.

Councilman Bechtol commended the City forces in the part they did in the work of the Power Plant. Councilman Palmer stated he would like to add commendation also to the firm of Brown and Root for the clear plans and specifications that they submitted and for the fine job. The Mayor stated that appreciation should also be expressed to the city personnel and to the Zachry Company for its excellent work.

The Mayor submitted a letter from MRS. JESS JENKS, 604 West 35th Street; making complaint of a loud speaker at 35th and Guadalupe, and asking that it not be permitted to be turned on in the future, and also making complaint of considerable drinking by juveniles. The Chief of Police made a report, stating the loud speaker had been disconnected, and that everything that can be done for Mrs. Jenks is being done.

Pursuant to published notice thereof the following zoning applications were publicly heard:

R. R. SANDS

3007 North Lamar Boulevard
908-10 West 30 $\frac{1}{2}$ Street

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "LR" Local
Retail

Mr. Sands represented himself stating he proposed to construct a Pharmacy building. MR. GARLAND BARCUS asked that the case be dismissed as the property was not correctly described as to the local address. Opposition was expressed by MR. CHARLES ARMSTRONG, in that the street lines on West 30 $\frac{1}{2}$ Street were so irregular, that it is not known where they are. MR. BARCUS asked that this line be established before anything is done. Opposition was expressed by Mrs. Barcus, who also represented MISS ADDIE MARIE YOUNG, 909 West 30th Street. Councilman Palmer moved that the recommendation of the Planning Commission be sustained and the change be granted to "LR" Local Retail. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail and the City Attorney was instructed to draw the necessary ordinance.

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W. B. BACKUS

1412-18 Barton Springs Road
419-423 Jessie Street

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

MR. BACKUS represented himself stating he wanted to have a grocery store with the sale of beer off-premises. MR. SAM HAGE opposed to any zoning that would permit beer to be consumed on the premises near his trailer park. If it were off-premise consumption, he had no objection. MR. ROGER HANKS representing Mr. Milstead, stated he was opposed to on-premise consumption but not off-premise. Mayor Pro-tem Palmer asked those who wished to grant the change to "C-1" Commercial to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, White
Noes: Councilman Perry
Not in Council Room when vote was taken: Mayor Miller

Mayor Pro-tem Palmer announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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WALTER WUKASCH

502-04 West 30th Street

From "O" Office
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. Wukasch represented himself. No opposition appeared. Councilman Perry moved the change be granted to "C" Commercial. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial and the City Attorney was instructed to draw the necessary ordinance.

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WESTENFIELD DEVELOPMENT
CO.
By Trueman O'Quinn

3101-05 Windsor Road
2208-2214 Stamford Lane

From "A" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

Mr. O'Quinn represented the applicant. No opposition appeared. Councilman Perry moved the change be granted to "O" Office. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Perry, White, Mayor Miller
Noes: None
Not in Council Room when vote was taken: Councilman Bechtol

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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R. G. MUELLER ESTATE
By R. G. Mueller, Jr.

905 North Loop Boulevard

From "A" Residence 1st
Height & Area
To "C" Commercial 2nd
Height & Area
RECOMMENDED

Opposition was made by Mrs. W. G. Wansley, 5301 Sunshine Drive, to any lights that would be on the proposed sign boards. Mr. Mueller stated the lights and sign would be elevated. The Mayor asked those who wished to grant the change to "C" Commercial 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

Mr. Mueller was asked to try to work out something with the lights. The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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EL CHICO RESTAURANT #10 5800-12 Interregional
INC. Highway
By Trueman O'Quinn

From "C" Commercial 1st
Height & Area
To "C-1" Commercial 5th
Height & Area
RECOMMENDED by the
Planning Commission

No opposition appeared. Discussion of clearance zone was held. The Mayor asked those who wished to grant the change to "C-1" Commercial 5th Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance.

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WEBB CONNELLY 4604-06 Connelly Street

From "B" Residence
To "O" Office
RECOMMENDED by the
Planning Commission

No opposition appeared. The Mayor asked those who wished to grant the change to "O" Office to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "O" Office and the City Attorney was instructed to draw the necessary ordinance.

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R. L. WORMLEY 4605-4615 East 19th Street
By Lott & Crawford 4600-4708 Heflin Lane

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission
RECOMMENDED "GR"
General Retail

Mr. Crawford represented the applicant. Discussion of future right of way needs was held, as well as clearance zone. The Mayor asked those who wished to grant the change to "GR" General Retail to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General

Retail and the City Attorney was instructed to draw the necessary ordinance.

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J. B. GILES &
ROGAN B. GILES
By William L. Longshore

1400-02 East 38 $\frac{1}{2}$ Street

From "C" Commercial
To "C-1" Commercial
RECOMMENDED by the
Planning Commission

Mr. Rogan Giles represented himself. Councilman Bechtol wanted to check with the Schools to see if they had any comments, since this was so near to the school property. The Council deferred action until next week.

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GLEN GARNER

Tract 1
3900-3902 So. 1st Street
600-610 Ben White Blvd.
601-611 Banister Lane

From "A" Residence 1st
Height & Area
To "LR" Local Retail
5th Height & Area
NOT Recommended by the
Planning Commission
From "A" Residence 1st
To "C-1" Commercial 5th
Height and Area
NOT Recommended by the
Planning Commission

Tract 2
3900 So. 1st Street
602-04 Ben White Blvd.
603-05 Banister Lane

MR. GARNER represented himself. No opposition appeared. The Director of Planning explained that the zoning was not recommended due to the matter of driveways. (Reference to Tract 1) Mr. Garner submitted revised plan. The Council contacted MR. DAVE BARROW, Chairman of the Plan Commission, regarding the revised plan. The Council postponed action until next week so that the Planning Commission would have an opportunity to approve the revised plans.

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MARCELO BARBA

2314 South 4th Street
900 Oltorf Street

From "A" Residence
To "C" Commercial
NOT Recommended by the
Planning Commission

Mr. Barba represented himself, stating he wanted to set up a small tortilla factory. After the hearing, Mr. Barba decided to withdraw the application. Councilman Perry moved that the withdrawal be accepted. The motion, seconded by Councilman Bechtol, carried by the following vote:

Ayes: Councilmen Bechtol, Palmer, Perry, White

Noes: None

Not in Council Room when vote was taken: Mayor Miller

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The request of the Pastor of the Assembly of God Church, for consideration of accepting payment of paving on the flat rate rather than on the assessed rate was before the Council. The Director of Public Works submitted detailed information about the assessment and time of payment. The City Attorney stated this payment could not legally be accepted as full payment. The Director of Public Works said he had told the Pastor that he would accept the payment, but the difference would still remain on the books; as this is the procedure followed. The difference between the flat-rate payment and the assessed rate was \$30.13.

At this point Mayor Miller had to leave and excused himself from the Council meeting.

Mayor Pro-tem Palmer presiding.

The Council set 3:30 P.M., Thursday, May 26th as a time to hear a report from the Hospital Consultant instead of 2:00 P.M. as previously decided upon. It was requested that the Hospital Board and Administrator be asked to be present.

The Assistant City Manager stated the Recreation Director would like to have a little opening session for EAST DISTRICT PARK, on Friday June 17th, and would like to have the Council members present.

The Assistant City Manager made a report on a petition requesting the stop sign to be removed on South 1st at Monroe. He submitted a memorandum of the Traffic Engineer recommending that since the traffic counts showed that the average volume of traffic did not meet the manual standards that a signal not be placed on South 1st and West Mary, and that the stop signs on South 1st at Monroe be taken out. (Memorandum dated April 27, 1960.) Councilman Bechtol moved that the Traffic Engineer's plan for the removal of stop signs on South 1st Street at Monroe be approved. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

Mayor Pro-tem Palmer asked that the Traffic Engineer make a study of the intersection of Exposition Boulevard and Lake Austin Boulevard, to see if a traffic light could be installed there.

The Council discussed the location of a miniature railroad in Zilker Park and the location of the track, about the percentage of gross to be charged and other matters. It was suggested that the Council might want to go over the proposed route some Thursday.

Discussion of the request of the Shrine for blocking off 8th Street from Brazos Street west to the alley on June 10th for a street dance was held. Councilman Bechtol moved that the Shrine be granted permission to close the street as requested. The motion, seconded by Councilman White, showed a tie vote, as follows:

Ayes: Councilmen Bechtol, White
 Noes: Councilman Perry, Mayor Pro-tem Palmer
 Absent: Mayor Miller

The City Manager and Chief of Police did not recommend closing the street. Mayor Pro-tem Palmer stated that maybe they could be offered another location.

The City Manager submitted two alternatives in line with the funds of the Urban Renewal studies and planning:

- (1) Closing the office down completely. Then in the event of getting into Urban Renewal, setting it up again at additional expenditures and time.
- (2) Obtaining a grant from the Government to keep someone in the office to answer questions about the plans already submitted on the present project.

He explained the transfer of the personnel to other Departments, and pointed out the advantages of keeping the office open as the Director now is certifying people that have been displaced by some governmental agency for the 221 loans. The Council discussed these alternatives in detail, as well as made inquiry as to the status of the San Antonio suit and the suit against the City. The City Manager stated if Federal Funds were to be received for any of the matters, including keeping the office open, it was his recommendation as far as the alternative, that application be made for the \$12,000 grant from the government to retain MR. GOLDEN on the government payroll to answer the questions from the government, and to handle the 221 and other matters that come to his attention. Councilman Bechtol moved that the City Manager be instructed to prepare the application on the basis he recommended. The motion, seconded by Councilman Perry, carried by the following vote:

Ayes: Councilmen Bechtol, Perry, White, Mayor Pro-tem Palmer
 Noes: None
 Absent: Mayor Miller

The City Attorney submitted the formal right-of-way policy as adopted by motion on April 14, 1960, for confirmation, as follows:

RIGHT-OF-WAY POLICY

"Where a tract of land is proposed to be divided into two or more lots to be served by a street, the City will not accept the street dedication unless the street complies with the Thoroughfare Standards of the City.

A. Streets Seventy Feet or Less: Land for streets seventy feet or less in width will be accepted only where the entire right-of-way is dedicated without cost to the City.

B. Streets More than Seventy Feet: Land for streets more than seventy feet in width will be accepted only where the subdivider is willing to dedicate seventy feet, and is willing to do either of the following, as the City may elect:

- (1) Establish lines of record clearly showing seventy feet of right-of-way presently

dedicated and the additional land planned ultimately to be required by the public for street right-of-way purposes; or

- (2) Sell the land required for right-of-way in excess of 70 feet in width for the cash market value of the undeveloped land upon a written appraisal approved by the City and the subdivider."

Councilman Bechtol moved that this typewritten right-of-way policy, attached to these minutes be approved as the official right-of-way policy of the City of Austin. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Bechtol, White, Mayor Pro-tem Palmer

Noes: None

Absent: Mayor Miller

Not in Council Room when vote was taken: Councilman Perry

The Council approved the request of the Travis County Sheriff's Possee for a banner on Congress at 1st Street and at 7th Street from June 29th to July 1st.

There being no further business, the Council adjourned at 1:50 P.M., subject to the call of the Mayor.

APPROVED _____

Mayor

ATTEST:



City Clerk